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For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA, ) Criminal No. 02-00010

Plaintiff )

) ORDER REGARDING  
v. ) WRITTEN SUBMISSIONS  
BERT DOUGLAS MONTGOMERY,) OF COUNSEL

Defendant )

IN ACCORDANCE with the September 20, 2006, mandate of the U.S. Court  
of Appeals for the Ninth Circuit, said mandate received by this court on September  
28, 2006,

IT IS ORDERED that counsel for plaintiff and defendant shall submit written  
comments addressing any factors---not only within the advisory sentencing  
guidelines, but also those encompassed by the goals and purposes of sentencing as  
reflected in 18 U.S.C. § 3553(a)---that counsel believes warrants re-sentencing of this

defendant. As stated in the Ninth Circuit’s opinion of August 29, 2009, this court “is asked to consider whether non-Guidelines factors might have justified a sentence different from the one imposed if, at the time of sentencing, the court’s discretion had not been constrained by the mandatory Guidelines.”

Counsels' submissions must be received no later than 3:30 p.m., October 20, 2006. Although a hearing is not required, the court will schedule a hearing if, after reviewing the submissions, it believes such a hearing would be useful to its deliberations.

DATED this 29th day of September, 2006.

Alex R. Munson

ALEX R. MUNSON

Judge